

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 95-91

December 1, 1995

TO : All Regional Directors, Officers-in-Charge
and Resident Officers

FROM : B. Allan Benson, Acting Associate General Counsel

SUBJECT: Survey of Recent Activity Under Section 10(j)

During the Regional Directors Conference in Washington, Regional Directors were advised that they no longer needed to submit to the Division of Advice requests for Section 10(j) relief in merit cases that, in the Region's view, clearly did not warrant such relief. In order to determine how this delegation has operated, please respond to the questions presented below for the period June through October, 1995.

	June - Oct
A) No. of partial or full merit decisions in cases in which the Charging Party requested 10(j) relief.	
B) No. of merit cases identified <i>sua sponte</i> at some point in the investigation as potential 10(j) cases.	
C) No. of cases submitted to Advice with a recommendation to seek 10(j) relief.	
D) No. of those merit cases identified in items A and B above not submitted to Advice because of settlement.	
E) No. of those merit cases identified in items A and B above not submitted to Advice because the expedited hearing procedure was utilized.	
F) No. of those merit cases identified in items A and B above not submitted to Advice but not settled or scheduled for expedited hearing $[(A + B) - (D+E)]$.	

As regards those cases reported in item F, above, please describe the primary reason(s) why the Region determined not to submit a recommendation for injunctive relief. Is the percentage of cases in which the Region made such a "no-go" determination roughly the same as, or different than, that experienced prior to the delegation. If there is a difference, please discuss what you believe may account for the difference. Please submit your responses to this survey by December 13, 1995. If you have any questions about this memorandum, please contact me or your Assistant General Counsel.

B. A. B.

cc: NLRBU

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